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MOTION BY SUPERVISOR GLORIA MOLINA

May 25, 2004

A report issued by the Chief Administrative Office (CAO) on May 20 indicates that the Board may legally charge contract and independent cities millions of dollars more than the County currently charges. Yet, we continue to subsidize the cities based on a policy that was enacted over 32 years ago. The contracts with cities are up for renewal in several weeks and these subsidies remain a part of the contracts.

The cities of Los Angeles County should be charged in a manner that is fair and sensible. Our goal should not be to make a profit from the cities or overburden them, yet we also must be fair to all taxpayers and ensure that the increasing costs of law enforcement are shared equally.

I, THEREFORE, MOVE that the Board adopt the recommendations set forth in the May 20 report, and instruct the Auditor and request that the Sheriff, in conjunction with the CAO and County Counsel, to immediately begin implementing those recommendations with the goal of changing our billing practices, where appropriate, for fiscal year 05-06.

I FURTHER MOVE that the CAO, with the Auditor, report back in one week with a recommendation about how to complete the goal of changing our billing practices for 05-06 without jeopardizing the Sheriff's provision of services to the contract cities under the upcoming contract renewals.

I FURTHER MOVE that the Auditor, in conjunction with the Sheriff and CAO, report back quarterly for the next six months, and then monthly, on the progress toward changing our billing practices for 05-06.

BC/jh

MOTION

Molina	_____
Burke	_____
Yaroslavsky	_____
Antonovich	_____
Knabe	_____



J. TYLER McCAULEY
AUDITOR-CONTROLLER

**COUNTY OF LOS ANGELES
DEPARTMENT OF AUDITOR-CONTROLLER**

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May 11, 2005

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TO: Supervisor Gloria Molina, Chair
Supervisor Yvonne B. Burke
Supervisor Don Knabe
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

FROM: J. Tyler McCauley *JTM*
Auditor-Controller

SUBJECT: **MANAGEMENT AUDIT OF THE DEPARTMENT OF MENTAL HEALTH -
OFFICE OF THE PUBLIC GUARDIAN**

Attached is the management audit of the Department of Mental Health's (DMH) Office of the Public Guardian (PG). The audit was performed by blueCONSULTING under contract with the Auditor-Controller's Office.

blueCONSULTING evaluated the Public Guardian's mission and operations including the probate conservatorship function to determine whether the PG is efficiently and effectively investigating, establishing, and administering probate conservatorships. The review also included an evaluation of the PG's case management, personnel management policies and practices, customer service, and budget and administrative practices and procedures. In addition, the review addressed trends that will affect the PG operations over the next five to ten years.

blueCONSULTING made numerous recommendations for improving the efficiency and effectiveness of program operations and service delivery including the PG's immediate need to obtain additional funding and staffing to perform its basic function.

Background

The PG is the entity officially designated by the Board of Supervisors to investigate community-based referrals for probate conservatorships and to act as conservator in the absence of willing and able family members. Referrals for conservatorship to the PG are made by individuals and public or private agencies.

"To Enrich Lives Through Effective and Caring Service"

The PG is responsible for two kinds of conservatorships: Probate and Lanterman-Petris-Short (LPS) conservatorships. Probate conservatorships are set up by the County for those adults unable to properly care for themselves or persons unable to substantially manage their finances or resist fraud or undue influence. LPS conservatorships are for individuals diagnosed with dementia. A review of the LPS conservatorship function was not part of the scope of this management review.

The PG's budget for Fiscal Year 2004-05 is \$9,977,256. The PG has 101 budgeted staff positions that are responsible for about 3,500 active, appointed conservatorship cases. Approximately 600 cases are probate conservatorships. Of the 101 budgeted positions, 27 are assigned to work in probate (older adult) conservatorships, while 74 work in LPS conservatorships. Probate conservatorships represent 20% of the PG work load.

Summary of Findings and Recommendations

blueCONSULTING concludes that the greatest strengths of the PG's probate conservatorship function are management's commitment to serving at-risk, vulnerable adults and its entrepreneurial approach to resolve a significant and chronic funding shortage. Based on the benchmarking of comparable agencies, Los Angeles County is one of the few that does not provide funds for probate conservatorship functions. This lack of funding puts the PG and its clients at a disadvantage given the high volume of referrals and active cases in the County. The following is a summary of the major findings.

Leadership, Culture, and Organizational Structure

The PG is unable to thoroughly perform its functions because of the lack of a clear mission. Also, the lack of adequate funding and staffing contributes to the PG's inability to perform its basic function. PG management appears to lack a sense of urgency. Impending retirements will soon create a significant gap in management and expertise. In addition, the consultant concludes that the PG has a problematic management culture lacking a strong managerial work ethic, accountability and leadership, and performance standards.

Case Management: Referral Investigations, Administration, and Closings

Based on the benchmarking survey results, the PG investigates more referrals each month than other county probate conservatorship organizations. The assignment of referrals is uneven and contributes to differences in customer services and workload. The Los Angeles County PG is the only probate conservatorship operation surveyed that maintains a backlog of incoming referrals. Although greatly reduced, there continues to be a backlog of referrals up to six months old. With such high caseloads, the PG is unable to manage their cases effectively and provide a high level of customer service in a timely manner.

External Relations and Communication

blueCONSULTING's report indicates that the PG needs to improve the level of service it receives from the Treasurer and Tax Collector and recommends the need to negotiate a new operating agreement with the Treasurer and Tax Collector to reduce overall costs to the PG. The PG also needs to improve communications with the County Counsel as well as the relationship with DMH. In addition, the PG should have a dedicated, informative, and user-friendly website.

Summary of Recommendations

The consultant made numerous recommendations including the need for the PG to:

- ◆ Request additional staff for referral investigations and case management and develop standards for reasonable workloads.
- ◆ Demonstrate leadership by prompt attention to operational and management issues.
- ◆ Complete a strategic planning process and clearly communicate the vision and mission to all employees.
- ◆ Eliminate the referral backlog (48 referrals as of January 2005) and review referral source differences.
- ◆ Perform an in-depth assessment of the PG organizational structure.
- ◆ Establish standards for referral staffing.
- ◆ Require compliance with policies to provide adequate communication with referral sources.
- ◆ Reinstitute and strengthen the internal audit function.
- ◆ Develop, in conjunction with the Treasurer and Tax Collector, DMH and County Counsel a new case management database.
- ◆ Negotiate a new operating agreement with the Treasurer and Tax Collector.
- ◆ Increase interaction and training with County Counsel.
- ◆ Improve the relations and communication with DMH management.

In summary, the consultant reported that in order for the County and the PG to meet the anticipated growth demands the County's aging population will make, the PG must establish and comply with case management standards that reflect a satisfactory level of customer service, monitor growth in demand for services, and obtain additional staff resources.

Department's Response

The Department of Mental Health's response is attached. It recognizes the various weaknesses within the PG and the urgent need for change. It further notes that the PG has already taken steps to address many of the recommendations and will work to implement corrective actions. County Counsel and the Treasurer and Tax Collector's responses are also attached. County Counsel's response supports the need for PG and County Counsel staff to improve communications and they intend to meet regularly

to address problems of mutual concern. There are two recommendations that affect the Treasurer and Tax Collector (TTC). TTC's response indicates that they already implemented one of the recommendations and are in the process of implementing the other.

If there are questions regarding this report, please call me or contact Ian Clark at (626) 293-1104.

JTM:MMO:IDC

Attachments

c: David E. Janssen, Chief Administrative Officer
Marvin Southard, D.S.W., Director, Department of Mental Health
Raymond G. Fortner, Jr., County Counsel
Mark J. Saladino, Director, Treasurer and Tax Collector
Chris Fierro, Deputy Director, Office of the Public Guardian
Violet Varona-Lukens, Executive Officer
Audit Committee
Public Information Office